

REMARKS

Amendments to the Claims

Applicants have cancelled claims 4, 5 and 12 and have amended claims 1, 6, 9, 11 and 14. Claim 1 now contains the limitations of claim 4. Claim 6 has been amended to modify its dependancy and to remove duplicative matter. Amended claim 9 removes duplicative matter. Amended claim 11 incorporates the limitations of claim 12. Amended claim 14 modifies its dependancy and removes duplicative matter. A new claim 21 has been added which finds its support in the specification as well as the original listing of the claims.

Allowable Subject Matter

The Applicant acknowledges the Examiner's finding that claims 4, 7-8, 10 and 13-20 would be allowable if rewritten in independent form including the limitations of the base claim. To that end, claim 1 has been amended to include the limitations of claim 4, and it is believed that claim 1 is now in condition for allowance.

Further, new claim 21 is similar in scope to claim 17, which the Examiner indicated would be allowable if written in independent form, incorporating the limitations of the base claim. Therefore, it is believed that new claim 21 is in condition for allowance.

35 USC 102 Rejections

The Examiner rejected claims 1 and 11 under 35 USC 102(b) as anticipated by U.S. Patent No. 4,824,333 to Erickson. Both claims 1 and 11 have been amended to incorporate additional limitations, rendering the rejection moot. Particularly, claim 1 has been amended to include the limitation, "said retainer comprising a frame having a retainer hole therethrough which is alignable with said bracket hole and an outer race collar extending axially from said frame and around said retainer hole, said outer race collar enclosing at least a portion of said bearing." Clearly, Erickson does not teach this further limitation. The alleged "retainer" of Erickson is merely a clip. It does not provide a collar which encloses an portion of the bearing. Similarly, claim 11 has been amended to include the additional limitation, "wherein

said bracket comprises a cover plate, said cover plate having a bracket hole therethrough and a bearing wall disposed about said bracket hole, said bearing positioned within said bearing wall and aligned with said bracket hole.” The “bracket” of Erickson does not teach or suggest an integrated cover plate. Therefore, it is believed that the Examiner's rejections based on Erickson have been rendered moot.

35 USC 103 Rejections

The Examiner rejected claims 3 and 12 under 35 U.S.C. 103(a) as unpatentable over Erickson in view of U.S. Patent No. 4,777,395 to Taylor. As claim 1, from which claim 3 depends, has now been amended to incorporate additional limitations not found in Erickson, it is believed that the Examiners rejection of claim 3 is now overcome. Claim 11 has been amended to incorporate the limitations of claim 12, therefore the rejection of claim 12 bears directly on amended claim 11. Examiner alleges that Erickson teaches most of the limitations but does not disclose a cover plate. The Examiner argues that Taylor teaches a bracket 10 having a cover plate 48 having a bracket hole and bearing wall enclosing a portion of a bearing.

Applicant respectfully requests reconsideration of this rejection. The “cover plate” that the Examiner points to in Taylor is not an element of the bracket at all. Claim 11 requires both a retainer and bracket, wherein the retainer and bracket cooperate to hold the bearing in place. The “cover plate” the Examiner points to in Taylor is in fact a “retainer clip” (col. 3, line 28), which is a separate element and not integral with the bracket. Further, the alleged “cover plate” of Taylor does not teach a bearing wall extending axially from a bracket hole. The element the Examiner points to in Taylor extends at an angle offset from axial. As such, one of ordinary skill in the art would not be taught by Taylor to include a cover plate into the “bracket” of Erickson. Therefore, it is believed that amended claim 11 is in condition for allowance.

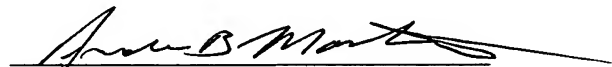
Double Patenting Rejections

In view of the aforementioned claim amendments it is believed that all of the double patenting rejections have been overcome.

Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call. In view of the foregoing amendments and arguments presented herein, the Applicants believe that they have properly set forth the invention and accordingly, and a formal Notice of Allowance of the claims is earnestly solicited. Should the Examiner care to discuss any of the foregoing in greater detail, the undersigned attorney would welcome a telephone call.

No new claims have been added and therefore no additional fees are believed due at this time. **In the event that a fee required for the filing of this document is missing or insufficient, the undersigned attorney hereby authorizes the Commissioner to charge payment of any fees associated with this communication or to credit any overpayment to Deposit Account No. 18-0987. If a withdrawal is required from Deposit Account No. 18-0987, the undersigned attorney respectfully requests that the Commissioner of Patents and Trademarks cite Attorney Docket Number ALE.4570.89A for billing purposes.**

Respectfully submitted,



Ray L. Weber, Reg. No. 26,519
Andrew B. Morton, Reg. No. 37,400
Renner, Kenner, Greive, Bobak, Taylor & Weber
First National Tower - Fourth Floor
Akron, Ohio 44308-1456
Telephone: (330) 376-1242
Facsimile: (330) 376-9646

Attorneys for Applicant(s)

Dated: February 10, 2005